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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Gary A. Snyder
Serial No: 10/661,411
For: GRAPE FLAVORED POME FRUIT
Filing Date: September 12, 2003
Examiner: Cano, Milton I.
Art Unit 1761
Docket: SN1.P01

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Commissioner for Patents
P.O. Box 1450
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EXPRESS MAIL CERTIFICATE

**Express Mail Label No: ER 508885385 US
Date of Deposit: February 6, 2006**

I hereby certify that the following attached papers and/or fees:

1. **Information Disclosure Statement (with form 1449/PTO and PCT International Search Report)**
2. **Transmittal Letter**
3. **Return Receipt Postcard**

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop IDS, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Chris E. Svendsen



Signature



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TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT

Enclosed with this transmittal is an Information Disclosure Statement for the above referenced patent application. No fees are required with the submittal of this statement, as the first Office action on the merits of the application has not been received. As per 37 CFR 1.97, if a first Office action on the merits of the application has been mailed prior to mailing of this statement, authorization is hereby given to charge **Deposit Account No. 50-0269**, any fees required under 37 CFR 1.17(p). Also enclosed are an express mail certificate, and a return receipt postcard.

Respectfully Submitted,

STRATTON BALLEW PLLC

Chris E. Svendsen, Reg. No. 40,193
213 S. 12th Avenue
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INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §1.97-99

1. Applicant submits herewith patents and other information of which they are aware, which they believe may be material to the examination of this application, and in respect of which there may be a duty to disclose in accordance with 37 CFR 1.56.

2. While this Information Disclosure Statement (IDS) may be "material" pursuant to 37 CFR 1.56, it is not intended to constitute an admission that any patent referred to herein is "prior art" for this invention unless specifically designated as such.

3. The German patent document (DD 299898) included in this IDS was the product of a search by a foreign search authority in an international search report for a counterpart foreign application, namely PCT publication WO2005/027658 A1, also attached. As such, and per the requirements specified in MPEP 609.04(a) III, a copy of the PCT International Search Report is included herein (4 pages), which details the portions of the German reference were considered relevant to the patentability of specific claims in the applicant's counterpart foreign application.

4. In accordance with 37 CFR 1.97(b) the filing of this IDS shall not be construed to mean that no other material information as defined in 37 CFR 1.56(a) exists.

5. The person making this statement is the agent who signs below, on the basis of information in the agent's file.

6. This statement concludes with a substitute form 1449/PTO, herein attached.

Respectfully submitted,

STRATTON BALLEW PLLC



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PTO/SB/08A (07-05)

Approved for use through 07/31/2006. OMB 0651-0031

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Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

Application Number	10/661,411
Filing Date	September 12, 2003
First Named Inventor	Gary A. Snyder
Art Unit	1761
Examiner Name	Milton I. Cano
Attorney Docket Number	SN1 P01

U. S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		DD 299898 A7	05-14-1992	Dorfel et al.	Claims 1, 2	
		WO 2005/07658 A1	03-31-2005	Snyder		

Examiner Signature		Date Considered	
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***EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.